

Instructions for Filing a Notice of Claim against the Town of Smithtown

PLEASE NOTE: Failure to follow these instructions carefully may result in the loss of your right to pursue a claim.

In order to file a claim against the Town of Smithtown, you must, within **NINETY (90) DAYS** after your claim arose:

- A. Fill out the Notice of Claim form (available in the Town Clerk's Office, Town Attorney's Office and online at www.smithtownny.gov). Once completed, your Notice of Claim form must be delivered *in person* or by ***Certified or Registered Mail*** as indicated below. In the alternative, you may submit a letter to the Town Clerk. Please note that your letter must conform to all of the same requirements as the Notice of Claim form, must include all of the following information, and must be signed and notarized by a Notary Public.
- B. The Notice of Claim must contain the following information:
 - 1. Your name, address and telephone number.
 - 2. The name and address of your attorney, if you are being represented by one in connection with this Notice of Claim.
 - 3. The nature of your claim and the manner in which it arose. (Be specific.)
 - 4. The date, time and place of the incident. (Be specific.)
 - 5. The items of damage or injuries claimed. If property damage is involved, describe the property; give license plate number and state registration for cars and other vehicles.
- C. Have your signature on the Notice of Claim notarized with the following words:

“Sworn to before me on (insert date)”

A Notary Public must then sign the Notice of Claim.
- D. Your Notice of Claim must be delivered *in person* or by ***Certified or Registered Mail*** to the following address:

Office of the Town Clerk
99 W. Main Street
Smithtown, NY 11787-0646

Delivery in person can be made Monday through Friday, 9:00 a.m. until 5:00 p.m., excluding holidays. During the months of July and August, delivery in person can be made Monday through Friday, 9:00 a.m. until 4:00 p.m., excluding holidays.

These requirements are established by New York General Municipal Law §50-e. Please direct questions to the Town Clerk's Office (631) 360-7620 or the Town Attorney's Office (631) 360-7570.